

Strengthening the OSCE's capacities in conflict prevention, crisis management and conflict resolution

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Introduction

Twenty years after the 1992 Helsinki Document -- Challenges of Change,² the foreign ministers of the 56 participating States that comprise the Organization for Security and Co-operation in Europe (OSCE) agreed at the 2011 Ministerial Council in Vilnius, Lithuania, on a decision intended to strengthen the OSCE's capacities in early warning, early action, dialogue facilitation and mediation- support as well as post-conflict rehabilitation. While the 1992 Challenges of Change was one of the first major documents with wide-ranging provisions on early warning, crisis management and peacekeeping that was conceptually and operationally innovative at its time, Ministerial Council Decision No. 3/11 (MC.DEC/3/11) of 7 December 2011³ is less ambitious in scope and substance. Nevertheless, it brings to completion an almost three-year process of constructive informal and formal dialogue that witnessed also a revisiting of the OSCE's approach to conflict prevention and resolution. It goes without saying that the journey was an ardent one requiring the involvement of three consecutive Chairmanships – Greece (2009), Kazakhstan (2010) and Lithuania (2011).

It all began with a Russian initiative for a European Security Treaty⁴ which eventually turned into a discussion on the renewal of political dialogue on the future of European security. As a consequence, the so-called 'Corfu Process' -- named after an informal meeting of OSCE foreign ministers on the Greek island of Corfu in the summer of 2009 -- took shape. The 'Corfu Process' became the name of an organization-wide framework that was set up to discuss relevant themes and issues across the three dimensions, including those related to addressing and responding to crisis and conflict situations.

The 'Corfu Process' continued during the 2010 Kazakh Chairmanship, with regular and informal meetings held in the first part of 2010, and it saw a number of proposals put forward by participating States. The OSCE Summit in Astana, Kazakhstan, from 1-2 December 2010, the first OSCE Summit in eleven years, did not produce any significant document on the conflict cycle, as the so-called 'Framework for Action', which had references to addressing crisis and conflict situations, did not reach consensus.

Under the 2011 Lithuanian Chairmanship, the 'Corfu Process' framework related to aspects of conflict prevention and resolution was renamed the 'V to V ('the Vancouver to Vladivostok via Vilnius and Vienna') Dialogue on the Conflict Cycle'. Within this framework, informal deliberations on various elements of the conflict cycle took place with the objective being to synthesize the many constructive ideas and proposals that OSCE participating States had brought forward as part of the Corfu Process dialogue, and to turn these into concrete 'deliverables'.

This article provides a brief chronology of the various stages and considerations that led to the MC.DEC/3/11, taking into account some of the 'new' ideas that were advanced on conflict prevention and resolution within the Organization. It will also analyze why it has been important to revisit the OSCE's approach to addressing various phases of the conflict cycle twenty years after the Helsinki Decision. Lastly, it will offer some insights

2 CSCE Helsinki Document 1992 – Challenges of Change, July 1992, see in particular Decision III, 'Early Warning, Conflict Prevention and Crisis Management (Including Fact-Finding and Rapporteur Missions and CSCE Peacekeeping), Peaceful Settlement of Disputes.' Also summarized in OSCE Secretariat, Conflict Prevention Centre/Operations Service, The OSCE Concept of Comprehensive and Co-operative Security: An Overview of Major Milestones, SEC.GAL/100/09, 17 June 2009.

3 See OSCE, Ministerial Council, Decision No. 3/11 Elements of the Conflict Cycle, Related to Enhancing the OSCE's Capabilities in Early Warning, Early Action, Dialogue Facilitation and Mediation Support, and Post-Conflict Rehabilitation, MC.DEC/3/11, 7 December 2011.

4 See: Russian Initiative Regarding a Treaty on European Security, MC.DEL/44/08.

into how the various provisions contained in MC.DEC/3/11 came into being.

The importance of revisiting the OSCE approach to conflict prevention and resolution

Although the OSCE already has some key documents on various aspects related to addressing and responding to crisis and conflict situations, these were for the most part agreed upon in the 1990s when the Organization had to respond to changing political, economic, and security-related circumstances that followed the end of the Cold War, the fragmentation of the Soviet Union and the dissolution of the Socialist Federal Republic of Yugoslavia. In many ways, in the 1990s the OSCE was among the few organizations at the forefront of innovative thinking on early warning, conflict prevention, and crisis management, which became reflected in Decision III of the 1992 Helsinki Document.⁵

Now, almost twenty years after the adoption of the Helsinki Document, looking once more at the OSCE's approach to conflict prevention and resolution has become inevitable. There are several reasons for this. For one thing, several protracted conflicts in the OSCE area continue to demand a lasting settlement. The Organization also had to respond to serious crisis and conflict situations such as in Kyrgyzstan in 2010 with the outbreak of ethnic violence. Here in particular it was felt that early warning had not been followed by early response, even though the OSCE was eventually able to place police advisors on the ground.⁶ The use of force among OSCE participating States is also not yet obsolete as was demonstrated by the armed confrontation between the Russian Federation and Georgia in August 2008 to which the OSCE responded quickly by sending additional military monitoring officers.

Intra-state conflicts continue to threaten the stability and security of participating States. Cross-border security threats and risks remain also a concern, especially for Central Asian States. Relapses into violence or confrontations continue to occur in post-conflict societies, such as in Kosovo. There is also growing awareness as to the increasing complexity of conflicts, especially given the linkage between inter-state and intra-state levels, and the fact that root causes of conflict do not only involve political and security-related issues, but can also entail economic, environmental and social factors.

It is not surprising, then, that many participating States felt that the OSCE needed to reinvigorate its approach on responding to crisis and conflict situations. Some participating States in particular underlined the need for the OSCE to redefine its strategic vision and to take stock of what the Organization had available in terms of instruments and procedures for conflict prevention and resolution, and determine where its capacities would have to be strengthened. Subsequently, the Lithuanian Chairmanship and the participating States selected the four major topics identified over the course of the many discussions held on the conflict cycle which then found their way into a Ministerial Draft Decision in 2011.

The OSCE's 'dialogue on the 'conflict cycle'

Efforts to reinvigorate conflict prevention and resolution within the OSCE grew initially, and I would argue, unintentionally out of a Russian call for a new European Security Treaty, first made by President Dmitry Medvedev in 2008. While, at first, the Russian Federation had in mind a dialogue that would focus particularly on 'hard security issues' and on strengthening its position in a future European security structure, there were few regional organizations other than the OSCE that could provide for the appropriate political framework

5 See here also, Alice Ackermann, 'The Prevention of Armed Conflicts as an Emerging Norm in International Conflict Management: The OSCE and the UN as Norm Leaders,' *Peace and Conflict Studies* 10, no. 1 (Spring 2003): 1-14.

6 See here, Sabine Machl, 'Early Warning – No Action?' *Security and Human Rights*, no. 3(2010): 170-175.

where such discussions could take place. The first step in initiating a dialogue on European security was taken at the 2008 OSCE Ministerial Council in Helsinki. This provided the basis for the Greek Chairmanship in 2009 to initiate the security dialogue on all three OSCE dimensions -- the politico-military; the economic-environmental; and the human dimension.

The Greek Chairmanship took up several concrete initiatives. Following the informal meeting of foreign ministers at Corfu on 27-28 June 2009, it organized a series of informal meetings at ambassador level in Vienna between September and November 2009. One of the key topics of these informal meetings focused on conflict resolution in the OSCE area for which some participating States presented concrete ideas. To have a preliminary roadmap on how to proceed on advancing further the OSCE's conflict prevention and resolution agenda, the Chairmanship produced a perception paper in an attempt to pull together the many different points of view introduced by the participating States during the informal meetings. Among the findings and recommendations were the following: (1) unresolved conflicts continue to threaten the stability and security of the OSCE area; (2) a 'one size fits all' approach to the resolution of conflicts was not possible although some universal principles as enshrined in the UN Charter and the CSCE Helsinki Final Act remain applicable to all conflicts; and (3) kin-states should not use the presence of their citizens on the territory of another state as a justification to undermine the sovereignty and territorial integrity of that state. Most important, however, was the recognition that the OSCE continued to face serious challenges in its efforts toward conflict prevention and resolution, including: the difficulty of moving from early warning to early action; the lack of collective will that frequently prevented timely and decisive early action; and that the OSCE already possessed an impressive toolbox with instruments to address and respond to emerging crisis and conflict situations but that these were often not used. As part of its recommendations, the participating States underlined the importance of strengthening the OSCE toolbox on early warning, conflict prevention and crisis management.⁷

The 2009 Athens OSCE Ministerial Council provided the next building block. One of the key decisions adopted was to continue the Corfu Process throughout the next Chairmanship and to include in further dialogues on a range of cross-dimensional issues also the role of the OSCE in early warning, conflict prevention and resolution, crisis management and post-conflict rehabilitation.⁸ The decision ebbed the way for the 2010 Kazakh Chairmanship to continue within the framework of the Corfu Process to solicit from participating States more concrete proposals on the issues mentioned above. Ministerial Council Decision No. 1/09 also requested the Kazakh Chairmanship to submit an interim report by mid-2010 summarizing the concrete proposals and recommendations across the three dimensions of security, including those issues related to the 'conflict cycle'.

To allow participating States to think about more concrete ways to move from early warning to early action and about strengthening conflict prevention and resolution capabilities, the Kazakh Chairmanship set up a working group under one of its so-called Corfu Co-ordinators, the Hungarian Permanent Representative to the OSCE, Ambassador György Molnár. In this informal discussion group, various proposals submitted by participating States were discussed in more detail, and synthesized under four headings: means of strengthening OSCE executive structures; the issue of the use of OSCE mechanisms and procedures; moving from early warning to early action and strengthening the role of the OSCE Chairperson-in-Office,

7 See OSCE Greek Chairmanship, Chairperson's Perception: Conflict Resolution in the OSCE Area, CIO.GAL/156/09, 23 October 2009.

8 OSCE Ministerial Council, Athens, Ministerial Council Decision No.1/09 on Furthering the Corfu Process, MC.DEL/1/09, 2 December 2009.

and enhancing the role of the OSCE Permanent Council. Most contentious was the idea of a 'prepositional consensus' supported by a cluster of participating States which would have allowed the OSCE Chairmanship to deploy small teams of experts as an early response measure without the need to obtain consensus in the Permanent Council, the OSCE's Standing Political Committee.⁹ The issue of a 'prepositional consensus' as a possible answer to how an organization, where decisions are made by consensus, could assure more timely and flexible responses to emerging conflict and crisis situations, remained controversial throughout 2010.

Although the Kazakh Chairmanship was able to convene the first OSCE Summit in more than a decade, it could not achieve consensus on the so-called 'Framework for Action' which was initially attached to the 'Astana Commemorative Declaration -- Towards a Security Community', and also contained, *inter alia*, provisions related to the conflict cycle, including improving OSCE joint approaches to early warning, conflict prevention and resolution, crisis management and post-conflict rehabilitation. In particular it called for the strengthening of the OSCE early warning and crisis management capacity; a review and reinforcement of OSCE mechanisms and procedures; and a strengthening of the political decision-making process in order to prevent and respond to emerging and existing crisis and conflict situations.¹⁰ The importance of the 'Framework for Action', although it did not become a consensus document, is that it provided those four issue areas under the conflict cycle which came to be adopted for the 'V to V' Dialogue on the Conflict Cycle.

In 2011, the responsibility to uplift the 'Corfu Discussions' to the more operational level fell to the OSCE Lithuanian Chairmanship. Under the title of the 'V to V' Dialogue on the Conflict Cycle, participating States agreed to discuss four specific areas that would fall within the conflict cycle (and in which pragmatic, limited progress seemed possible): early warning, early crisis response, dialogue facilitation and mediation and post-conflict rehabilitation. They were also asked by the Chairmanship to explore what ideas and proposals could be translated into specific policies that the OSCE could implement over time. Appointing four co-ordinators for the conflict cycle -- the Permanent Representatives of France, Romania, Slovakia and Switzerland to the OSCE -- the Lithuanian Chairmanship, with the assistance of the OSCE Secretariat's Conflict Prevention Centre, organized a series of expert meetings and workshops to address the above-mentioned four subject areas. The objective was to put forward concrete tasks and recommendations that could find their place in a Ministerial Council Decision.

In April 2001, the first expert meeting on enhancing the early warning and analytical capabilities of the OSCE was organized which explored *inter alia* also what the OSCE could learn from other organizations that already had an early warning system. In a workshop on post-conflict rehabilitation, participating States discussed in particular the challenges that needed to be tackled in post-conflict environments, such as practical co-operation and co-ordination with other national and international actors. Also, the use of non-military confidence-building measures in post-conflict environments was addressed, including in the economic and environmental sphere. To draw attention to the necessity for multi-dimensional approaches to conflict prevention and resolution, a special workshop on economic and environmental confidence-building measures, supported by the OSCE Office of the Co-ordinator of Economic and Environmental Activities, was held. The last two expert meetings were on the creation of a systematic mediation-support capacity and

9 Described in more detail in: Alice Ackermann and Herbert Salber, 'The OSCE 'Corfu Process' -- A Preliminary View of the Security Dialogue on Early Warning, Conflict Prevention and Resolution, Crisis Management and Post-Conflict Rehabilitation.' In OSCE Yearbook 2009, edited by the Institute for Peace Research and Security Policy at the University of Hamburg, 223-31. Baden-Baden, Germany: Nomos, 2010.

10 Draft Astana Declaration Towards a Security Community, CIO.GAL/179/10/Rev.5, 30 November 2010 (Restricted).

the strengthening of early and preventive action. The seminar on early action was particularly challenging. Although the development of a 'culture of early crisis response' was welcomed by some of the participating States, the ensuing debate also demonstrated the political sensitivity surrounding the issue of making early response possible.¹¹

The findings and recommendations from these expert meetings and workshop came to be reflected in a draft decision on enhancing OSCE capacities with regard to the conflict cycle, planned for consideration by the OSCE foreign ministers at the Ministerial Council in Vilnius in December 2011. Preliminary drafting was undertaken by the OSCE Conflict Prevention Centre/Operations Service, together with the Lithuanian Chairmanship, a process that began as early as June 2011 with a non-paper on possible preamble and operational elements of a draft ministerial decision. Pre-Ministerial discussions by participating States on the draft decision were difficult, in particular given the contending views on the relative importance of various elements of the conflict cycle. Therefore consensus on the draft decision could not be reached prior to the Ministerial Council meeting, and difficult negotiations continued even in Vilnius.

Ministerial Council Decision No. 3/11 on 'elements of the conflict cycle'

On 7 December 2011 Ministerial Council Decision 3/11 (MC.DEC/3/11) was adopted at the Vilnius Meeting of OSCE Foreign Ministers. It includes, in particular, some fairly comprehensive provisions on early warning, early action as well as mediation-support, all of which require for their implementation concrete action by the OSCE Secretary General, in co-operation and consultation with other OSCE executive structures. In addition, the Decision makes reference to several provisions on post-conflict rehabilitation that call for action on the part of the OSCE Chairmanship, the participating States and the OSCE executive structures. The provisions for a more systematic early warning capacity within the OSCE, however, are by far the most substantive.

On early warning, the Secretary General's explicit mandate has been clarified. In consultation with the Chairmanship, he can bring 'to the attention of the Permanent Council any situation of emerging tensions or conflicts in the OSCE area, complementing the early warning function already contained in the existing mandates of all relevant OSCE executive structures'.¹² The latter part of the provision is instrumental so as not to compromise the early warning functions of other executive structures, such as that of the OSCE High Commissioner on National Minorities whose role in early warning was mandated in the 1992 Helsinki Document. The Secretary General and relevant executive structures are further tasked to consolidate early warning within the OSCE in a more systematic, comprehensive and cross-dimensional manner. The OSCE Conflict Prevention Centre within the Vienna-based Secretariat is also to assume 'the role and functions as a focal point for an OSCE-wide systematic collection, collation, analysis and assessment of relevant early warning signals from various sources, co-operating and co-ordinating closely with other OSCE executive structures and the Parliamentary Assembly'.¹³ As a preliminary step forward, preparations for the development of guidelines on early warning in the OSCE are already underway, drafted and co-ordinated within an internal working group with representatives at senior level from relevant OSCE executive structures.

11 Also recounted in: Alice Ackermann, 'The V to V Dialogue on the Conflict Cycle: The Conflict Prevention Centre's Supporting Role in Strengthening the OSCE's Conflict Response,' OSCE Magazine 4/2011, pp. 7-8.

12 OSCE, Ministerial Council, Decision No. 3/11 Elements of the Conflict Cycle, Related to Enhancing the OSCE's Capabilities in Early Warning, Early Action, Dialogue Facilitation and Mediation Support, and Post-Conflict Rehabilitation, MC.DEC/3/11, 7 December 2011, pp. 3-4.

13 Ibid., p. 3.

There are fewer provisions on early action contained within MC.DEC/3/11, and for the most part they focus on implicit tasks directed toward the Chairmanship, the participating States and in some cases also the executive structures. As noted earlier, discussions among participating States on enhancing the OSCE's capacities in early action were more contentious, both throughout the Corfu Process and the V to V Dialogue as well as during the drafting sessions for the decision. It is therefore not surprising that there were few innovative steps proposed that could facilitate an early response to emerging crisis and conflict situations. Because participating States could not reach consensus on enhancing the role of the Chairmanship in establishing fact-finding missions and other expert teams (particularly without prior consensus by the participating States), the most 'operational' part on early action within the Decision falls to the Secretary General who is requested to present a proposal to the participating States that explores how to enhance OSCE fact-finding, including expert team capabilities during emerging crises and conflicts. Important for the 'early action' role of the Secretary General is that he can propose 'possible options for timely and effective response(s) to escalating tensions or conflicts in the OSCE area'.¹⁴

Significant is also that the participating States agreed on supporting the creation of a systematic mediation-support capacity within the OSCE although the Secretary General will first have to develop a proposal that he has to submit to the Permanent Council for consideration. The proposal is to 'aim at developing a systematic mediation-support capacity within the CPC covering, *inter alia*, (1) training and capacity-building within the OSCE structures; (2) knowledge management and operational guidance; (3) outreach, networking, co-operation and co-ordination with relevant local/national actors, as well as with international, regional and sub-regional organizations; (4) operational support to Chairmanships, their special representatives, heads of field operations, and other relevant OSCE mediators'.¹⁵ Initially, the decision in its draft form had an annex that entailed a concept on the development of a mediation-support capacity within the OSCE. However, this annex was eventually not included by the participating States as it would have also required a consensus to become part of MC.DEC/3/11.


Enhancing the OSCE's capacities in post-conflict rehabilitation elicited a less contentious debate among participating States, largely because the OSCE already has a solid record in assisting States and societies in post-conflict peace-building and transition processes. However, crucial is that participating States have already endorsed ongoing activities so as to make better use of confidence-building measures in post-conflict environments, or that participating States explore further the creation of rosters of national experts who can be recruited for purposes of supporting post-conflict rehabilitation efforts.

Concluding thoughts

Even though MC.DEC/3/11 is perhaps not as wide-ranging as had been envisioned and hoped for by many participating States, it nevertheless is a step forward. It allows for the development of a more systematic early warning capacity within the OSCE, and it mandates the Secretary General to submit a proposal on creating a mediation-support capacity. MC.DEC/3/11 leaves the door open for further discussions under the 2012 Irish Chairmanship to explore additional elements of the conflict cycle. It will be instrumental to engage in further stock-taking along the way; to engage in lessons learned; and to exchange experiences with other international and regional organizations that have embarked on a similar course of action, that is to strengthen their capacities in conflict prevention and resolution.

¹⁴ Ibid., p. 4.

¹⁵ Ibid., p. 5.



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